

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72302 of 2025

Arising Out of PS. Case No.-240 Year-2023 Thana- BALIYA District- Begusarai

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Brijesh Kumar Sahni @ Brijesh Kumar Shani S/O Ram Pravesh Shani @
Ram Prabesh Sahni R/O Village- Bathua Bujurg (Bathua Buzurg), Ward No.
09, P.S- Mushri Ghararhi, (Mushri Ghararhi), Distt.- Samatipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 290 and 120 (B) of the Indian Penal Code and section 30 (a), 32 and 41 (i) (ii) of the Bihar Prohibition and Excise Act, 2018.

3. The case of the prosecution is that altogether 2432.520 liters of illicit country made liquor was recovered from a Pickup Van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner was not apprehended from the spot and as such nothing has been recovered from the conscious possession of this petitioner. It is also submitted that even co-accused, namely,



Gautam did not disclose the name of the petitioner rather police after examining the CDR of Gautam's mobile found that petitioner also had a talk with Gautam as such, based on suspicion, the petitioner came to be implicated in this case. It is further contended that similar situated co-accused persons have been extended the privilege of bail vide order dated 12.09.2025 passed in Cr. Misc. No. 63303 of 2025. The case of this petitioner also stands on similar footing. Moreover, the petitioner is languishing in judicial custody since 25.08.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ballia (Balliya) P.S. Case No. 240 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge -II, Begusarai.

(Ashok Kumar Pandey, J)

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